

COBBETT'S WEEKLY POLITICAL REGISTER.

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"The hope of the HYPOCRITES shall perish."

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SUMMARY OF POLITICS.

THE REGENCY.—I repeat my motto; and the denunciation I have no fear of seeing completely verified. The hypocritical editor of the *Courier* and the crew of hypocrites who approve of his efforts, all this base, canting crew, now driven to their resource, *crocodile tears*, will not find, any longer, a cloak sufficiently thick to disguise them.—Gulls as the people of this country have long been, they are not any longer to be cheated by this hypocrite and his like. It is hypocrisy that has, for years, been the bane of England; but, I do trust, that it will now, by being unmasked, be deprived of its power to do us further mischief.—In my last, I exposed an attempt, on the part of the Editor of the *Courier* and his brother hypocrites, to make the people believe, that all those, who were for using *extreme caution* in again imposing upon the King the functions of royalty, meant to *dethrone* him. I exposed this attempt pretty well; and showed how base and wicked were the motives from which it had manifestly proceeded. I showed, that the assertions of the hypocrites were false; and that, as a last resource, they had resorted to cant and crying with a view to calumnious insinuations against the Prince of Wales, calculated to excite the foulest suspicions against him, and to render him odious in the eyes of the people. The jet of what they were, and still are, endeavouring to inculcate, is this: That the "*new men*," as they call them, have discovered a disposition, nay, and a *resolution*, to *dethrone* the King; because they have recommended *great caution* to be observed in calling upon him again to exercise the kingly office. This is the point, at which they are incessantly labouring; with efforts directed to this point, they fill column after column; and, it is easy to see, that they do, and *must*, include the Prince amongst the "*new men*."—That there is ground for *great caution* no one will, I think, deny, after what has recently come to light. Nevertheless, this same hypocritical writer and his brother hypocrites, who furnish

matter for his paper, are still endeavouring to prevail upon the public to consider as an act of hostility to the King, every effort that is made to provide against a premature resumption of the royal authority on the part of the King.—I shall, in the present Number, notice, in a particular manner, and, I trust, fully expose, another of these attempts to cajole the people; and, when I have done that, I shall examine into the truth of these venal mens' assertions respecting the Charges of LORD GREY against the LORD CHANCELLOR. They assert these charges to be *groundless*; and, it, therefore, becomes us to refer to *dates*, and to compare them and the Evidence of the Physicians with the statements of Lord Grey. For, though the speech of his lordship was plain and full, as to all points, still it was impossible for any man (especially under a prohibition to take any speech in short hand) to give it perfectly correct even as to the substance; much less to give it in detail.—With the whole of the Evidence before me, and with the history of the times referred to, also before me, I shall, I trust, be able to give a more full and clear statement of the matter, than has yet reached the public eye.—But, I must first notice the article, above alluded to, in the *Courier* of the 30th of January; because in this article the reader will have a view of another of the tricks, which the hypocrites are playing off for the purpose of keeping up their deceptions a little longer. They are hard put to it. They know not what to be at; and, though as cunning as Old Satan himself, they do, I verily believe, begin to despair of gulling and cheating the public any longer. The dullest of the people now begin to see them in their true colours. The exposures have been so often repeated, that, at last, they begin to have effect.—The trick which I am now about to notice is an attempt at *alarm*; an attempt to cajole the people into a belief, that those who protest against using the King's name before he is restored to a perfectly sound mind, wish to set him *aside*; wish to do some violent act of injustice towards him.—"The attempts,"

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says this venal hypocrite, who really appears to me to be pretty nearly a match for an old North-of-England political acquaintance of mine, whom I have, for many years, called *Hypocrisy Personified*, and who, to a Lazarus-like look given him by nature, has added all that art can afford, and who is, even in this age, certainly the most consummate hypocrite in existence. Talk of the *Saints* of the Long-Parliament! There was not one of them fit "to hold a candle to him."—Yet, this creature, the most perfect of his kind, and who has duped nearly as many people as were duped by Mahomet, or any other of the lucky impostors that have lived in the world; even this hypocrite is not far out-done by these venal men, these **MEAN, MERCENARY and MALIG-NANT** men, upon the writings of one of whom I am now about to comment.—"The attempts," says he, "daily making "to prepare the public mind for setting "the King aside, altogether, cannot fail "of exciting alarm. The design was "scouted with indignation by both Houses "of Parliament, on the first day of its meet- "ing, but it has ever since been disclos- "ing itself, and certainly is acting upon. "We have already given very striking "proofs of this from the Journals. Men "startled at these things at first, but "silence and impunity make them bold. "The *Weekly Register*, and others of the "same character, deprecate the return of "the King to power *till he is quite well*, "by which they mean *something better "than at his age he is ever likely to be*, allow- "ing him to be as well in mind as ever. "Out of mere kindness to the King they "would not allow him to return to the fa- "tigues of business. One member of the "House of Commons asserts, that a man "subject to hurries never can be fit to "reign, and Sir F. Burdett last week "roundly affirmed, the King could never "be fit to govern at his age; with his "blindness, and liable as he is to derange- "ment. Thus *the design proceeds*."—What design? What design have we? What do we mean; or, what can we mean, more than we say? We "depre- "cate the return of the King to power "till he is **QUITE WELL**." And what, then? To be sure we deprecate it; and are we not right in so doing? Ought he, in mere common mercy to himself, to be permitted to resume his authority *before he is quite well*? Are we not right to express our opinions, that he ought

not to be called upon to resume his autho- rity; to exercise the powers of *life and death*; to make *war and peace*: are we not right in deprecating the idea of his being called upon to resume such powers until he be *quite well*? Aye, and was I not right, when, about a fortnight ago, I took timely opportunity to suggest the propriety of some measure to prevent him from being so called upon, until there had been *some months, or weeks*, at least, of *probation*, after complete recovery? Was not this right? Will any man *now* deny, that the sugges- tion was proper? Indeed, it arose out of a perusal of the very evidence upon which Lord Grey has made his late statements, in the House of Lords, and upon which Lord King founded his motion for erasing the name of Lord Eldon from the list of the Queen's Council.—But, this venal man says, that, by the words *quite well*, we mean "something better than the "King, at his age, *is ever likely to be*." His age! Age does not naturally deprive men of the use of their senses. The age of the King is not very great. There is Mr. BARON MASERES at the age of *eighty*, writ- ing with as much clearness and strength as he did at the age of *forty*. We say no- thing about the age of the King. His is by no means an age to produce mental feebleness. But, we see, in the evidence upon oath, that he is in a state of *mental derangement*; that he has been in that state now *three times within eleven years*; and, we also read in that evidence, that he was in that state while his assent was given to many acts of parliament, some of them *granting away crown lands* and imposing *penalties of death*; this we see, and seeing this, are we to be accused of designs to set him aside; because we wish, that there should be clear proof produced of his be- ing *quite well*, before he is again called upon to exercise the Royal Authority? —"Another most unconstitutional doc- "trine," continues this venal writer, "ad- "vanced in many quarters, but particu- "larly in the Common Council by Mr. "ALDERMAN WOOD, is, the preference given "to the Prince of Wales as our Chief "Magistrate in consequence of its being "known, that he will adopt measures dif- "ferent from those of his father, that he will "grant Catholic emancipation, conciliate "Ireland, &c. For these and similar "reasons they express a wish that his "Royal Highness should wield the Sove- "reign authority instead of his Majesty. To "proceed on such principles is to do nei-

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"ther more nor less than to elect a King.
 "The Prince is to be chosen *in preference*
 "to George the 3rd, because he will do
 "better things. If such atrocious doc-
 "trines as these are to be listened to, there
 "is an end of our Constitution! It may be
 "discovered that Sir Francis Burdett would
 "do better things still than the Prince of
 "Wales, and, upon the same principles,
 "propositions might be entertained of
 "vesting him with the sovereign autho-
 "rity. Such language tends to bring
 "upon us the evil of an elective mo-
 "narchy like that of Poland, which no
 "doubt would speedily involve us in a si-
 "milar destruction with that which has
 "annihilated Poland as a nation. All this
 "erroneous view of things arises from the
 "very false grounds upon which the re-
 "strictions on the Regency have been de-
 "bated by the Opposition, they wishing
 "to act as if they were appointing a King
 "instead of appointing a deputy for a
 "King during a temporary indisposition,
 "as if the Throne were vacant, not as it
 "really is, full. Such doctrines are *truly*
 "*alarming*. They tend strongly and ra-
 "pidly to a *Revolution*, to scenes of *confu-*
 "*sion* and *anarchy* long unknown in this
 "*happy land*."—All this is equally false
 with the former. Mr. WOOD gave no *prefe-*
rence to the SON before the FATHER. He im-
 puted no *wrong* to the King; but he cen-
 sured the measures of *his ministers*; and
 he expressed his hope that such men
 would be chosen to succeed them, as
 would adopt *better measures*. It is false,
 therefore, to say, that the Prince was set
 up in *preference* to the King. But, let the
 reader bear with me while I once more
 remark, that this is the constant practice
 of those hypocrites who call themselves
 "the *King's friends*." Every thing you
 say against the measures of the govern-
 ment, they immediately apply it to *the*
King; and it cannot be forgotten, that
 they have *invariably* acted thus.—As to
 what this hypocrite says about the dan-
 gers of making this an *elective monarchy*,
 what a fine slap in the face he gives here to
 all those, and to himself amongst the rest,
 who have contended for restrictions, and
 have denied the *right* of the Prince to be
 sole Regent! This charge, if due to any
 body, belongs to them. If there really be
 any *danger* in the notion of an *elective*
 monarchy, on their heads be the conse-
 quences, and not on ours, who have, all
 along, contended, that the whole of the
 Royal powers and prerogatives, without

any dividing, chipping away, or reserv-
 ing, ought to have been, at once, and
 without any delay, given to the Prince,
 who is the undoubted heir to the throne
 and to every thing attached to it.—But,
 the truth is, that the hypocrites know not
 what to say; they are at the last gasp;
 even lying and crying begin to fail them;
 and it is little wonder, that they forget
 what they are about. The wonder, and,
 to the country, the shame, is, that they
 should not, before now, have been sunk
 quite into the earth; that they should still
 dare to shew their faces above ground;
 much less to send forth their verbose co-
 lumns of cant, in various shapes, and under
 various names, as they have yet the as-
 surance to do.—We now come to the
 other subject of which I proposed to
 treat; namely, *the state of the King in the*
years 1801 and 1804, at times when several
very important acts were performed in his name,
 and, apparently, with his *approbation and*
authority.—The public need not be
 told what has recently passed upon this sub-
 ject in the House of Lords; for, certainly,
 never was there any thing that attracted
 more general observation, or that excited
 a more general or higher interest. It has,
 since it took place, been the great topic
 of conversation with every body.—In
 my last, I inserted the speeches of Lords
 GREY and ELDON and the motion of Lord
 KING. These were all less full than was
 to be desired; but, I took the fullest re-
 ports I could find, and the substance was
 pretty nearly, in all probability, preserv-
 ed.—Nevertheless, it is possible to put
 the matter in a *plainer* light than it there
 appears; and, this it shall now be my en-
 deavour to do.—But, I have first to ob-
 serve, that in another part of *this Number*, I
 have inserted the *whole* of the Evidence
 of Drs. WILLIS and HEBERDEN, as given
 upon oath before the LORDS' COMMITTEE
 a few weeks ago. These two persons at-
 tended the King upon the former occa-
 sions of his mental derangement; and, I
 have given the *whole* of their evidence to
 obviate the possibility of being charged
 with *garbling*.—This Evidence should
 be *carefully read*, particularly that of Dr.
 HEBERDEN, upon which the charges of
 Lord GREY were founded.—I have also
 inserted, in this Number, a *Protest* of cer-
 tain Lords, upon the subject of the motion
 for erasing LORD ELDON's name, in which
 Protest the charges against him are dis-
 tinctly stated. This also should be read
 with care; and I have thought it right

not to lose a moment in giving it as wide a circulation as it is in my power to give it; because it appears to me, that the matter is of the greatest importance to us all; or, at least, to all those who wish to see the English constitution not totally annihilated.—From the same motive it is, that I am now induced to add some observations of my own, by which I hope to make the matter so plain as not to leave the smallest chance of being misunderstood.—There were *two occasions* mentioned by Lord Grey, and some confusion of dates and other circumstances has been made for want of a sort of history of each. The *first* was in 1801, at the

time Mr. ADDINGTON (now LD. SIDMOUTH) became Prime Minister; the *second* was in 1804, he being still Prime Minister. The transactions, connected with the *former* we will treat of hereafter; for, if possible, they are even more important than those connected with the latter. But, *at present*, we will confine ourselves to the latter epoch; and, it will be useful, here, to give a list of the *ministry*, as it then stood, namely, in *February, March, and April*, 1804, when the King was afflicted, as will be seen by Dr. HEBERDEN's evidence, with the very same malady that he now is afflicted with.

Cabinet Ministers.

Duke of Portland	President of the Council.
Lord Eldon	Lord High Chancellor.
Lord Westmoreland	Lord Privy Seal.
Right Hon. Henry Addington (now Lord Sidmouth)	First Lord of the Treasury and Chancellor of the Exchequer. (Prime Minister.)
Earl St. Vincent	First Lord of the Admiralty.
Earl of Chatham	Master General of the Ordnance.
Right Hon. Charles Yorke	Sec. of State for the Home Department.
Lord Hawkesbury (now Earl of Liverpool)	Secretary of State for Foreign Affairs.
Lord Hobart (now Earl of Buckinghamshire)	Secretary of State for the Department of War and the Colonies.
Lord Viscount Castlereagh	President for the Board of Controul for the Affairs of India.

Law Officers.

Mr. Spencer Perceval	Attorney General.
Sir Thomas Manners Sutton	Solicitor General.

Thus was the ministry composed.—Here we have them all before us.—This is of great use, because the people are apt to forget. They have confused ideas of *who* and *who* were together.—Well, now to the point. Dr. HEBERDEN, being upon his *oath* before the Lords' Committee, on the 18th of December last, gave the following evidence.—“Will “Dr. Heberden state to the Committee “what was the whole duration of his “Majesty's illness in 1804? I was first “called upon to attend his Majesty on the “12th of February 1804; and I believe “his Majesty presided at Council on the “23rd of April following; I should con- “sider the interval between those periods as “constituting the duration of his disease at “that time.—At what time did Dr. “Heberden's attendance on his Majesty “cease? After the period when his “Majesty was so far recovered as to be “able to transact business at any period “of any day: he still retained such “marks of indisposition about him, as made

“it expedient that some one of his phy- “sicians should be about his person for “some months afterwards. In this situa- “tion I was in attendance upon his Ma- “jesty so late as to the end of October.— “Between the 12th February and the “23d April did not the appearances of “disorder continue more or less? I be- “lieve that for some days previous to the “23d April they had so far ceased as to “make his Majesty's physicians conceive “him competent to exercise all the usual “functions of his high office.”—Thus, then, quibble to eternity, if you will, one of these two things must be: either the King was in a state of *mental derangement* (for that is the term now given to the ma- lady) from the 12th of February to within some days of the 23rd of April, or Dr. HEBERDEN has taken a false oath, which latter is not to be believed, especially as, in the reports of the Speeches of Lord Eldon, in answer to Lord Grey's charge, no insinuation of the kind was thrown out, and, as Dr. HEBERDEN gave his evidence in the

presence of Lord Eldon and Lord Sidmouth, and most of the rest of the ministry of 1804, who might, if they had chosen, have contradicted, or cross-examined, him.—The public must well remember, that, in 1804, Dr. SIMMONS of St. Luke's Hospital, and his men, attended the King; and Lord Grey asserted, and *challenged contradiction*, that these persons remained with him until the 10th of June of that year! Nobody accepted Lord Grey's challenge. Nobody attempted to contradict him. But, I will, if the reader chooses, leave this circumstance wholly out of consideration; and stick to the facts stated upon oath by Dr. HEBERDEN, according to whom the King's malady continued from the 12th of February to within some days of the 23rd of April.—Now, then, what can have been meant by the words "*some days*?" The Hypocrite, who writes in the COURIER, says it may mean *any time*: any length of time; that it may mean "*a fortnight*, at least." But, is this the interpretation that sound sense and a love of truth and justice will allow of?—No: it is clear, that Doctor Heberden meant a few days; some number within a week: but, even in those days, his words by no means admit, that the King was perfectly recovered; and, after all, we find, that the Doctor, or another physician, had to remain constantly about him even to the month of October afterwards, on account of the still remaining appearances of indisposition.—Leaving out of the question, therefore, Earl Grey's uncontradicted assertion as to the attendance of Dr. SYMONDS and his men, until the 10th of June, Dr. HEBERDEN's evidence is full as to the point, that the malady continued from the 12th of February to the 23rd of April.—What, then, was done during this time, in the name of the King, and as by his express authority? Whether any Commissions may have been granted, any leases of Crown Lands let or renewed, any titles or honours bestowed, any sentences of death confirmed, during that time, are particulars that I have not, at hand, the means of ascertaining; but, I have the means of ascertaining in what cases the very highest functions of royalty, the giving assent to Acts of Parliament, the making of laws, affecting the property, liberty, and lives of fifteen millions of people, were exercised, and these I shall accurately state.—Remember, that the space of time mentioned by Dr. HEBERDEN, was, from the 12th of February to the 23rd of April, 1804.—On the 9th of March of

that year, the King's assent was given by Commission under his hand, and signed with the Great Seal, to seven Public Acts of Parliament, being the Acts from Chapter 19 to Chapter 25 of the 44th year of GEORGE III.—On the 23rd of March, the King's assent was, by a like Commission, given to six Public Acts of Parliament, being the Acts from Chapter 26 to Chapter 31.—This was still very far from the 23d of April. It was more than some days. It was more than the fortnight which the hypocrite of the COURIER contends for. It was in fact, a full Calendar month.—The Acts thus assented to were some of them of a nature peculiarly important. Some of them contained penalties of death; others imposed taxes; others authorised the raising of soldiers; one was a continuation of the Bank Restriction; Chapter 25 granted away from the Crown the fee for ever of certain manors, lands, and houses; and Chapter 30 was a bill of indemnity, relative to acts done without law, in pursuance of certain Orders of Council.—All this was done in the King's name, and as by his express authority, at a time when, according to the evidence now given upon oath by a Physician who attended him, the King was in the same state of incapacity that he is now.—Nay, on the 26th of March, that is to say, twenty eight days before the 23d of April, Mr. ADDINGTON (now Lord Sidmouth) brought down to the House of Commons A MESSAGE from the King! It related to a measure of great importance, namely, the bringing of the Irish militia into England. It had the Royal Signature to it, and began in these words: "*His Majesty thinks proper to acquaint the House of Commons, &c. &c.*"—This, even this, was done on the 26th of March, that is, twenty eight days before the 23d of April.—And yet, with these facts before us; with all this before us, we are not to be allowed to express our opinion, that great caution ought to be used in the resumption of the royal authority by the King; we are not to be allowed to say, that care ought to be taken to prove that he is quite well first; we are not to do this, upon pain of being marked out by the impudent and venal editor of the COURIER, as men who wish to dethrone the King, to throw him into a corner, to pluck the Crown from his head and to bind it with thorns! But, these are the last struggles of knavery and hypocrisy combined; and they will not succeed.—Thus stands the case up to the 23rd of

April. I beg the reader to bear the dates in his mind. Thus stands the case up to the 23rd of April; but, as the reader may attach great importance to the assertion of Lord Grey respecting the attendance of Dr. SYMONDS and *his men* till the 10th of June, it is proper to inform him, that, between the 23rd of April and the 10th of June, 24 Public Acts of Parliament received the King's Assent by Commission, as in the former cases. And, by the 30th of July, 36 more Public Acts; thus making the number 91 Acts, receiving the King's Assent, by Commission, after the 12th of February in that year; and, July, the reader will bear in mind, was still long before the month of October.—There are still some circumstances to notice, in order to make the history of these transactions complete. A change of ministry took place between the 23rd of April and the 10th of June.—Mr. Addington, Ld. St. Vincent, Mr. Yorke, and Ld. Hobart, went out of the cabinet; and Mr. Pitt, Ld. Melville, Ld. Harrowby, Ld. Camden, and Ld. Mulgrave, came into it. The others remained; and the Law-Officers also remained. This change was completed on the 18th of May: So that Lords Eldon, Castlereagh, Hawkesbury, Westmorland, and Chatham were in both cabinets.—Nothing more need be said. The thing is so plain; the chain of facts so complete; the statement so incontrovertible, that it sets all pettifogging at defiance. There are, however, two points, upon which I shall just say a word or two; namely, the declaration of Mr. ADDINGTON (now Ld. Sidmouth), during the King's malady in 1804; and the individual responsibility of Lord Eldon.—As to the former, it was called forth by a question, and afterwards a motion, of Sir ROBERT LAWLEY, in the House of Commons, on the 27th of February, 1804. Sir Robert Lawley asked the minister for an explicit statement as to the state of the King. To this Mr. Addington answered, that no such statement was necessary in the opinion of his Majesty's confidential servants. Whereupon Sir Robert Lawley moved an adjournment of the House. This produced a long debate, which was very interesting at that time, and certainly not less so now. In this debate Mr. Addington spoke no less than *five times*. He made explanation upon explanation; and, at last, it came to these words:—"The hon. Gentleman has stated, that I have set up my own opinion in opposition to

"that of his Majesty's Physicians. All I can say on this part of the accusation against me is, that I have stated nothing as matter of speculation, or opinion, of my own, but upon authority of the physicians. I wish to be distinctly understood here to re-state, that there is not, at this time," [27th of February mind] "any necessary suspension of such royal functions as it may be necessary for his Majesty to discharge at the present moment."—He was pressed further by Mr. Grey, and he then said: "I meant distinctly to state, that there is not at this time, any necessary suspension of the royal authority for any act which may be necessary to be done."—This was what Lord Grey alluded to the other night; and, if it had any meaning at all, it meant one of these three things: that it was not necessary that the King should be deranged in mind; or, that it was not, at that time, necessary for him to have the use of his senses; or, that his faculties were not so much impaired as to render him unfit for business.—The two former it cannot be supposed that any man could mean; and, therefore, we must take the latter; and, then, all we have to do, is, to compare it with the Evidence of Dr. Heberden.—I should now enter upon the subject of individual or collective responsibility; but as my space is so narrow, and as I see, that the subject will demand room, I must defer it till my next.

MR. FINNERTY.—This gentleman was, on Thursday, the 31st of January, brought up to receive judgment, in the Court of King's Bench, for a libel against CASTLEREAGH. He produced affidavits, respecting the conduct of his prosecutor, some of which he was, it appears, allowed to read, and some not.—He was sent to the King's Bench Prison till next Thursday, when he is to be brought up again.—I have inserted the proceedings in another part of this Number, from the TIMES newspaper, to which I beg to refer the reader.—The subject is one of the greatest consequence; it is worthy of all the attention that the public can bestow upon it; and, I am convinced, that in this way it will be viewed by every man in the kingdom, who has left in him one single spark of a love of justice or humanity.

W^m. COBBETT.

State Prison, Newgate, Friday,
February 1, 1811.

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PROTEST.—*Against the Rejection of Lord King's Motion for omitting the name of "John Lord Eldon," as one of her Majesty's Council.*

DISSENTIENT.—First, Because it is of the highest importance, that in the appointment of her Majesty's Council, the public should have every security, which previous conduct can afford, that the persons composing the same will not act under any undue bias, but that whilst they follow the course prescribed to them by their duty for restoring his Majesty to the public exercise of his Royal Functions, whenever he shall be in a capacity to resume them, they will neither expose his Majesty to the danger of a too early pressure of business, nor concur in representing his Majesty as qualified to act in his high office, before his recovery shall be complete.—Secondly, Because it appears by the evidence of Dr. Heberden, taken on oath before a Committee of this House, "that he was first called upon to attend his Majesty on the 12th of February 1804; that he believed his Majesty presided at Council on the 23d of April following; and that he should consider the interval between those periods as constituting the duration of his Majesty's disease at that time." Yet, nevertheless it appears from the Journals of this House that between the two days above-mentioned, John Lord Eldon, being then Lord High Chancellor of Great Britain, did, on the 5th of March, 1804, receive, and in his Majesty's name signify his Majesty's consent to a Bill, intituled, "An Act to enable his Majesty to grant the inheritance in fee-simple of certain manors, messuages, lands, and hereditaments, in the parishes of Byfleet, Weybridge, Wallin, Wallinleigh, and Chertsey, in the county of Surrey, to his Royal Highness Frederick Duke of York and Albany, for a valuable consideration;" and that he did also put the Great Seal to a Commission dated 9th March, by virtue of which 15 Bills received the Royal Assent; as well as to a Commission dated March 23d, under which 17 other Bills received the Royal Assent; although his Majesty was, at that time, as appears by the evidence above recited, afflicted by a malady of the same nature and character with that which has now occasioned a suspension of the Regal functions.—Thirdly, Because it further appears from the same evidence, "that after the period when his Majesty was so far recovered as to be able to transact

business at any period of any day, he still retained such marks of indisposition about him as made it expedient that some one of his Physicians should be about his person for some months afterwards; and that Dr. Heberden was in attendance on his Majesty so late as the end of October;" and it was stated in debate, and not denied, that, during this latter period, and particularly on the 10th of June, 1804, when it was understood and believed both by this House and the public, that his Majesty was perfectly recovered, his Majesty not only continued in a state which required medical guidance, but that both Dr. Simmons and his assistants still were in attendance on, and possessed a controul over his Majesty; yet, that nevertheless, while his Majesty was still subject to such personal controul, the said John Lord Eldon, as Lord High Chancellor of Great Britain, did receive his Majesty's pleasure on divers important matters of his Majesty's Regal Government, and did, in virtue of his said office, perform various public acts requiring the sanction of the King's authority.—4thly, Because John Lord Eldon, having so conducted himself, is not, in our own judgment, a person to whom the sacred trust of acting as one of her Majesty's Council in the care of his Majesty's person, and in the discharge of the other most important duties, by this Act committed to the said Council, can with propriety or safety be committed.—
GREY, LAUDERDALE, VASSAL HOLLAND, ERSKINE, ROSSLYN, DERBY, ASHBURTON, PONSONBY, PONSONBY, (of Imokilly.)

KING'S ILLNESS.

Evidence of Drs. WILLIS and HEBERDEN, as given in the Lords' Committee, appointed to examine the Physicians, who have attended his Majesty during his illness, touching the state of his Majesty's health. December 18th, 1810.

Die Martis, 18 Decembris 1810.

DR. ROBERT DARLING WILLIS
called in and examined.

YOU are desired to acquaint this Committee, whether the state of his Majesty's health is such as to render him incapable of coming in person to his Parliament, or of attending to any kind of public business?—His Majesty is incapable of coming to parliament, or of attending to any public business.

What are the hopes you entertain of his Majesty's recovery?—I entertain confident hopes of his Majesty's recovery; the protraction that has hitherto taken place, though it lessens considerably the expectation that the recovery will take place in a very short time, is not sufficient to diminish my confidence that his Majesty will ultimately recover.

Do you found the opinion given in your answer to the former question, upon the particular symptoms of his Majesty's disorder, or upon general experience in other cases of the same nature, or upon both?—I form my opinion upon both, upon my general experience in cases of mental disease, and upon the particular symptoms of his Majesty's complaint.

Whether in that particular species of the disorder his Majesty has been afflicted with, it has been found from experience that the greater number of persons so affected have been cured?—Confining myself strictly in my answer to that particular class of the disease under which his Majesty now labours, I should say that a very large proportion recover.

Can you form any judgment or probable conjecture of the duration of his Majesty's illness?—No, I cannot.

Whether so far as experience enables you to judge of his Majesty's disorder, you think it more probable his Majesty will or will not recover, so as to render him capable of attending to public business?—I presume that my answer to a former question is an answer to that. I consider recovery as including a full capability of transacting all business.

Whether you can state to this Committee any particular cause to which you ascribe his Majesty's present indisposition?—I presume the extreme distress for the illness of the Princess Amelia.

Whether any change has taken place in his Majesty's indisposition since your last examination before the Privy Council?—I can hardly state that any material alteration has taken place. It is extremely difficult in cases of this description to measure accurately the degrees of amendment.

Has Dr. Willis attended his Majesty in the former attacks of this disorder?—I attended his Majesty in the year 1801.

In case of a cessation of the disorder, would great interruptions, or such as would probably arise in the exercise of his high station, be likely to produce a return of the disorder?—I have no reason to think

that it would, provided the recovery is complete. Relapses have not been produced after former illnesses in his Majesty's complaints.

When Dr. Willis agrees with the other physicians, who have been examined, in assigning the immediate occasion of his Majesty's present illness, does he mean to assign it as the primitive cause of the complaint, or only as having brought into action a disease to which his Majesty had been before subject?—Certainly as bringing into action a disease to which his Majesty has been before subject.

When Dr. Willis expresses this confident expectation of his Majesty's recovery, does he mean his final recovery, without the probability of a recurrence of the same indisposition?—Certainly not.

Should his Majesty recover, so as to fulfil all the expectation, which Dr. Willis means to express, is it in his opinion more or less probable that his Majesty would be subject to similar indispositions?—His Majesty having already laboured under four attacks, it is more probable he will continue liable to repeated attacks.

His Majesty's illness having been immediately preceded by and constantly accompanied with fever, arising from extraordinary susceptibility and nervous irritation, is not such a complaint more likely to be re-produced from external circumstances and causes, than any other indisposition of the same class?—It is, perhaps, a medical question of very little moment, whether his Majesty's complaint is attended with fever or not; in my opinion there is no fever present, the whole depending upon an extreme nervous irritability; but I am not aware that his Majesty will be more subject to relapse on that account, than he would be if it arose from any cause in the constitution itself; it appears always to require some external cause to excite it.

Whether, when the complaint is accompanied with that extreme nervous irritability described by Dr. Willis, it is not more subject to be acted upon and increased by external circumstances and causes, than a similar complaint not so accompanied?—I was not aware of any similar complaint that can take place without being accompanied with a similar nervous irritability.

How many relapses have taken place in his Majesty's present disorder since his Majesty was taken ill in October last?—There have been two relapses.

State the periods of those relapses?—The 15th Nov. and the 5th Dec. were the periods at which a considerable degree of increase of the symptoms took place, which have been denominated relapses.

Dr. Willis has stated that his Majesty's disorder arose from extreme distress for the illness of the princess Amelia, the Committee wish to know if Dr. Willis considers these relapses to have arisen in the ordinary course of the disorder, or whether any extraneous causes have contributed to occasion those relapses?—In that extreme state of nervous irritability very trifling causes are sufficient to produce an occasional increase of symptoms till the recovery has advanced beyond a certain period; it may be difficult to say, therefore, whether this increase of symptoms may have arisen in the ordinary course of the disorder, or from trifling circumstances which may have produced them.

Did not the first relapse occur about the period of the princess Amelia's funeral?—On the following day, or the day after that.

When Dr. Willis speaks of relapses, does he mean relapses after a cessation of the disorder, or after a remission of the disorder?—Certainly after a remission, his Majesty's disorder has never ceased.

Were there not exacerbations of his Majesty's disorder on the 15th November and the 5th December?—Certainly, on the evening of both those days.

Does Dr. Willis consider the exacerbations which took place on each of those days to have been relapses properly so called, or such paroxysms as commonly occur in a disorder of this description?—I consider them merely as paroxysms which belong to the disorder itself.

Are, or are not the remissions of his Majesty's disorder impeded, and the paroxysms renewed or increased, by his consideration of, and reflection upon his own case, under all its circumstances?—I am not aware of any particular effect that has taken place from such considerations.

Whether in the course of Dr. Willis's experience in disorders of this kind, he has had occasion to observe that the age of the patient is a consideration of weight in forming expectations of recovery?—Where the traces of age can be discovered in the symptoms of the disorder, it is certainly a matter of great consideration; but in his Majesty's situation I have not discovered any traces of age in the symptoms; I therefore infer that his Majesty's age is not a matter of moment.

On a comparison of the symptoms of his Majesty's present disorder with those of his disorder in the year 1801, is Dr. Willis of opinion that the paroxysms of the present case are more or less severe either in degree or duration than those of the former?—The paroxysms in this disorder have been more frequent but not more severe than in 1801, nor of longer duration.

Have the remissions in the present disorder been of longer or shorter duration than those of the disorder of 1801?—Hitherto they have been shorter.

Whether the remissions have been more or less complete in his Majesty's present disorder than in 1801?—I think less complete.

Whether the disorder, under which his Majesty now labours, is of the same class as that in 1801?—It is of the same class.

Whether from the facts which Dr. Willis has collected from the physicians, and other medical attendants on his Majesty, he deems this disorder to be of the same class as his Majesty's other attacks, in which Dr. Willis did not attend his Majesty?—I believe all his Majesty's attacks have been similar.

How far in these disorders the experience of former attacks in the case of the same patient affords an indication of the probable time of the cure, supposing that a cure shall be ultimately effected?—It becomes probable where the symptoms of one attack resemble the symptoms of a preceding one, that the progress to amendment, will be similar also.

Whether the progress toward recovery has hitherto been the same in this, as in former attacks?—It has rather been more prolonged than in 1801, but it is further advanced than in the first attack in 1788: I cannot speak as to the attack in 1804.

Whether the difference is such as to afford Dr. Willis any ground for judging that this recovery will or will not be delayed longer than in the former attacks?—The difference is not sufficient to enable me to form any judgment on the subject.

Whether referring to his answer given to a former question, Dr. Willis can state what degree of protraction in recovery would be sufficient to diminish his expectation of ultimate recovery?—My opinion would be rather guided by the symptoms which should attend that protraction than the protraction itself.

When the approaches towards recovery are more likely to manifest themselves by

a gradual diminution of the paroxysms, and increase of the remissions, or by a sudden and total cessation of the complaint?—Probably by the gradual diminution of the paroxysms, and the lengthening of the remissions.

At what time did Dr. Willis first see his Majesty in this disorder?—On the 6th November.

Was that in a period of paroxysm or of remission?—In a period of complete delirium, under the first paroxysm that had taken place.

Was that paroxysm severe?—Extremely severe; his Majesty's life was in great peril.

Have the two succeeding paroxysms been less severe?—Considerably less.

How far in the instances with which Dr. Willis is acquainted of persons suffering under repeated attacks of this disorder, the frequency of such attacks has increased or diminished, as the patient has advanced in age?—I cannot answer as to the frequency.

How far has the violence of the attacks increased or diminished under the circumstance stated in the former question?—The violence has increased.

Is it, in Dr. Willis's opinion, a circumstance favourable, or otherwise, to the probability of his Majesty's recovery, that there should have been such an assignable cause for his Majesty's disorder, as that which he has stated?—It is certainly a very favourable circumstance.

In such a disorder as that with which his Majesty is affected, are there not usually certain gradations or stages tending to a hopeless state on the one hand, and to a recovery on the other?—Certainly.

Is the stage at which his Majesty's disorder has arrived, one that warrants the expectation of progressive amendment?—It certainly warrants the expectation of progressive amendment, because it is the stage through which each of his Majesty's disorders has passed.

According to the usual gradations of disorders of this description, is it or is it not the opinion of Dr. Willis that the next material advance towards recovery would be a state of convalescence, or a state nearly approaching to it?—Probably a state nearly approaching to convalescence.

Upon comparing the present stage of his Majesty's illness with its corresponding stage in 1801, does Dr. Willis, or does he not, entertain an equally favourable ex-

pectation of his Majesty's recovery?—Comparing the two stages together, I have no reason to have a less favourable opinion than I had in 1801.

Upon making the same comparison, does Dr. Willis entertain an expectation of his Majesty's recovery from his present illness, within the same period of time as in 1801?—Perhaps not exactly. The present stage is more remote from the commencement than the similar stage which took place in 1801.

After what period of time, supposing no material abatement of his Majesty's disorder shall have taken place, would Dr. Willis cease to entertain confident hopes of his Majesty's recovery?—I must still think that my opinion would be more guided by the symptoms that were then present than by the period of time.

Dr. Willis is desired to answer the question, supposing the symptoms continued nearly as at present?—I should certainly begin to have a very unfavourable opinion of his Majesty's recovery, if the usual period at which recovery has taken place in the former attacks had passed by.

What do you conceive to have been the usual period, dating from the commencement of the complaint?—The periods have differed: in 1788-9 it was nearly six months; the other periods were shorter; I have spoken of the longest.

To what class of disorder is his Majesty's present indisposition referable?—According to an arrangement in my own mind, I should consider it as a derangement of mind closely allied to delirium, and occasionally falling into it.

Does the species of disorder, which Dr. Willis has just described, differ from what is usually termed insanity?—There is a wide difference betwixt them.

Will you describe generally in what that difference consists?—It consists principally in the different state of the mind, and the different state of the constitution also. In delirium the mind is actively occupied upon past impressions, without any reference to present objects. A person under delirium resembles one talking in his sleep; he is totally insensible to all surrounding objects. The bodily health is at the same time considerably affected; great restlessness and want of sleep. In insanity the mind is acting upon some assumed idea, to the truth of which it will pertinaciously adhere, contrary to the strongest evidence of its falsity. The individual is aware to all surrounding ob-

jects, the general health may be little or not at all impaired. Taking these two points, as extreme points, derangement will lie somewhere betwixt them, partaking more or less of one or the other. The derangement, which is the object of this inquiry, I consider partaking of delirium, but never partaking of insanity.

From which of the different species of mental disorder that Dr. Willis has described is recovery most probable?—From that species of derangement which partakes most of delirium, provided the patient survives the bodily disease.

Dr. Willis having made this division in his own mind, the Committee wish to understand, whether he considers that these three species all differ from each other in kind or in degree?—The three are perfectly distinct in themselves; they may occasionally run one into the other. Derangement, for example, may become complete delirium. Delirium may pass through derangement in its progress to recovery, though not necessarily.

According to this distribution of the subject, by what term does Dr. Willis describe that general class of disorder of which these are species?—I never have sufficiently considered this subject with a view to classification, and am not prepared to give a decisive answer to the question.

Do not all these three species fall under the general and popular designation of insanity?—I believe in the general acceptance of the term, delirium would be exempt. Perhaps the other may not have been sufficiently distinguished.

Could Dr. Willis give any precise definition of delirium?—Your lordships will see the extreme difficulty of giving a definition unpremeditated. I cannot venture to do it.

Is there any distinction between delirium generally, dependent upon fever, when it has arisen to a great height, and delirium not dependent upon such a degree of fever?—As far as the symptoms can be perceived they are precisely the same.

Having due regard to all the circumstances to which your attention has been called in the course of this day's examination, and especially to all such circumstances (as far as you are acquainted with them) which relate to his Majesty's time of life, and the state of his bodily health, his present and former disorders, which have been mentioned in this examination, the

nature and number of those disorders, the symptoms, paroxysms, and remissions which have occurred in the course of them respectively, and the comparative progress made in them respectively towards recovery; you are desired to state, whether a due regard to any or all of such circumstances does or does not diminish the confidence, which you expressed in the beginning of your examination, that his Majesty will ultimately recover with a full capability of transacting all business?—My confidence that his Majesty will ultimately recover so as to transact all public business is not diminished; but this opinion must be subject to the uncertainty which attends all medical prognostics.

DR. WILLIAM HEBERDEN
called in and examined.

You are desired to acquaint this Committee, whether the state of his Majesty's health is such as to render him incapable of coming in person to his parliament, or of attending to any kind of public business?—I think his Majesty's present state renders him incapable of coming in person to his parliament, or of attending to public business.

What are the hopes you entertain of his Majesty's recovery?—I entertain the greatest expectation of his Majesty's recovery.

Do you found the opinion given in your answer to the former question, upon the particular symptoms of his Majesty's disorder, or upon general experience in other cases of the same nature, or upon both?—I found my opinion upon the progress his Majesty has already made towards recovery, upon the present unimpaired state of his Majesty's faculties, and upon the experience afforded by his Majesty's previous attacks of a similar kind.

Whether in that particular species of the disorder his Majesty has been afflicted with, it has been found from experience that the greater number of persons so affected have been cured?—I believe they have.

Can you form any judgment or probable conjecture of the duration of his Majesty's illness?—I can form no judgment with regard to any precise period for the termination of his Majesty's indisposition. The experience of his former attacks affords a presumption that the period may not be very distant.

Whether, as far as experience enables

you to judge of his Majesty's disorder, you think it more probable his Majesty will or will not recover, so as to render him capable of attending to public business?—I think it in the highest degree probable that his Majesty will recover, and be full as capable of attending to public business as he was before his present attack.

Whether you can state to this Committee any particular cause to which you ascribe his Majesty's present indisposition?—I have no hesitation in attributing his Majesty's present malady to his anxiety on account of the late princess Amelia.

Whether any change has taken place in his Majesty's indisposition since your last examination before the privy council?—Since I was examined before the privy council, his Majesty has been worse for a few days, and has subsequently to that been again better. I consider his present state not at all worse than it was at that time.

Did Dr. Heberden attend his Majesty on the occasion of any of his former disorders?—Yes.

Are the symptoms of his Majesty's present disorder of a similar nature with those of his former disorders?—They are of a similar nature to his illness in 1804, on which occasion only I had the honour of attending his Majesty.

Are the paroxysms of his Majesty's present disorder more or less severe, either in degree or duration, than those of his disorder in 1804?—The accessions and remissions in his Majesty's present disorder have been more separate from each other than they appeared to be in his former disorder in 1804, but I am not aware that the violence of the symptoms during the accessions has been greater in this than in his former illness.

When did Dr. Heberden first attend his Majesty in this disorder?—On the 27th of October last.

What do you consider as the date of the first paroxysm of disorder?—The 25th October.

How long did that paroxysm continue?—Fifteen days.

Was it more or less severe than the succeeding paroxysms?—It was more severe.

Did you consider the symptoms of that paroxysm as being severe? They appeared so severe as to give his Majesty's physicians apprehension for his life.

Did you describe them to any persons as being peculiarly mild?—Certainly not.

Was the first remission more or less complete than the succeeding remissions have been?—It was not less complete, nor can I certainly say that it was more complete.

Has the duration of the successive paroxysms and remissions increased or diminished since the commencement of the disorder?—The duration of the paroxysms has become less; the duration of the remissions has become greater.

Has this progress been uniform since the beginning?—I stated in a former answer to the Committee, that the first paroxysm continued 15 days; the subsequent remission continued only five days; the second paroxysm continued ten days; the second remission continued ten days; the third paroxysm continued five days; the third remission still continues, I consider the present remission to bear date from the night of December 10th.

How far in these disorders the experience of former attacks, in the case of the same patient, affords an indication of the probable time of the cure, supposing that a cure shall ultimately be effected?—It must depend upon the frequency of the repetition, and upon the accuracy of their correspondence with each other. In the present case it is very far from being a sure ground of judgment, but it appears to me to be the best we have.

Dr. Heberden has stated that he considers the first paroxysm to have commenced on the 25th of October, and to have lasted to the 9th of November; the Committee wish to ask Dr. Heberden, whether this paroxysm, during which his Majesty's life was supposed to be in danger, was not of very different degrees of violence at different periods of its duration?—Certainly. At its commencement it gave his Majesty's physicians reason to hope, that it never might arrive at so formidable a height as we afterwards witnessed.

Does Dr. Heberden recollect on what day the violence of this paroxysm began?—Its violence can hardly be dated from any distinct period. On the 8th of November it seemed to have attained its utmost height.

Has Dr. Heberden any recollection, that it was communicated to any persons resorting to Windsor on the 29th October or 1st November, that his Majesty's life was in danger?—I apprehend there could have been no such communication made, because at that time, there was nothing to justify such an opinion.

Does or does not Dr. Heberden recollect that the representation made to persons resorting to Windsor on the 29th October, and 1st November, was, that the disorder was of a milder character, though they could not state to what extent it might go?—At that time I was the only one of his Majesty's physicians present who had seen him under a similar disorder before, and his present attack did appear to me then to be less violent than what I had witnessed in the year 1804. Added to which, his Majesty's increased age, and his defect of sight, we thought might be favourable in keeping the disorder altogether of a milder character. This opinion was stated to his Majesty's ministers when they resorted to Windsor.

Did Dr. Heberden state to any persons during any part of the first paroxysm of his Majesty's disorder, that its symptoms were peculiarly mild?—At the first commencement of his Majesty's present disorder, the symptoms appeared milder than in the year 1804, and this opinion I did communicate.

Whether Dr. Heberden does or does not recollect when two other physicians were called in, that they repeatedly stated that the symptoms of his Majesty's disorder were of a milder character?—I cannot distinctly state that they did make such communication; but in the very early part of the present illness we have all hoped that it might not arrive at that degree which had been experienced in his Majesty's former attacks of the same kind, and which has since been observed in his present illness.

Has Dr. Heberden at any time during the continuance of his Majesty's first paroxysm, heard any of his Majesty's physicians state to any person that the then existing symptoms of the disorder were peculiarly mild?—The mildness of the symptoms in his Majesty's present disorder was always considered with reference to his Majesty's former attacks, and it was in comparison with them only that the symptoms were at first considered to be mild, and no communication expressive of an opinion beyond this, was, as far as I am aware, made at any time.

The Committee would be glad to know distinctly whether Dr. Heberden ever heard the phrase stated in the preceding question, used by any of the physicians?—I do not recollect ever to have heard it used.

Have the remissions which Dr. Heber-

den has observed in his Majesty's present disorder been more or less complete than those which he had occasion to observe in his attendance on his Majesty in 1804?

—The remissions in his Majesty's present disorder have appeared to be of longer continuance, but at no time so complete as they had been in his former illness, at an equal distance of time from its commencement.

Will Dr. Heberden state to the Committee what was the whole duration of his Majesty's illness in 1804?—I was first called upon to attend his Majesty on the 12th of February 1804; and I believe his Majesty presided at Council on the 23rd of April following; I should consider the interval between those periods as constituting the duration of his disease at that time.

At what time did Dr. Heberden's attendance on his Majesty cease?—After the period when his Majesty was so far recovered as to be able to transact business at any period of any day: he still retained such marks of indisposition about him, as made it expedient that some one of his physicians should be about his person for some months afterwards. In this situation I was in attendance upon his Majesty so late as to the end of October.

Between the 12th of February and the 23rd of April did not the appearances of disorder continue more or less?—I believe that for some days previous to the 23rd of April they had so far ceased as to make his Majesty's physicians conceive him competent to exercise all the usual functions of his high office.

19th December 1810.

DR. WILLIAM HEBERDEN.

Again called in and examined.

Whether, having due regard to all the circumstances to which your attention has been called during your present examination, you entertain the same hopes of his Majesty's ultimate recovery as you did before your examination?—I do entertain the same hopes as I did at the beginning of my examination.

MR. FINNERTY.

*Court of King's Bench, 31 Jan. 1811.—
Report of the Proceedings in the Case of
Mr. Finnerty.*

Mr. Bevan prayed the judgment of the Court against the defendant, who had suffered it to go against him by default.—

The indictment, which was read by the proper officer, was for a libel on the Right Honourable Robert Stewart, commonly called Lord Castlereagh, one of his Majesty's principal Secretaries of State, which appeared in the Morning Chronicle of the last year. The indictment set out the whole of a long letter to the Editor of that paper, signed by the defendant, in which the libel was contained. It appeared, that the defendant had accompanied the expedition to Walcheren for the purpose of writing a narrative of its proceedings, when a general order was issued to Lord Chatham and Sir Richard Strachan, to enquire of all the vessels which composed the expedition, whether a gentleman of the name of Finnerty was on board, and if he was found so, to convey him to his Lordship or Sir Richard, with a view to his being sent home. The defendant was accordingly conveyed to Sir Richard Strachan, by whom he acknowledged himself to have been treated with the greatest kindness, and was sent home, as speedily as was practicable, on board a revenue cutter. The letter in the Morning Chronicle, charged as the present libel, consisted of a narrative at length of these facts, and an attribution of the whole measure to Lord Castlereagh, who must have been actuated in the business, the letter observed, either from a desire to suppress the truths which the defendant's intended History of the Expedition would have contained, or from a desire to blacken the defendant's character by so obnoxious a piece of persecution. The indictment charged the defendant with insinuating, that this measure was only one instance of a course of oppression, which the defendant had received from the personal malice of Lord Castlereagh, and that his Lordship had been guilty of great villainy of and concerning the administration of Ireland.—*Mr. FINNERTY* wished to ask Lord Ellenborough one question.—*LORD ELLENBOROUGH*.—"Have you no Counsel?"—*Mr. FINNERTY*.—"I have retained no Counsel; but I wish to ask, if Mr. Clifford should address himself for me towards the technical part of my case, whether I shall thereby be precluded from addressing the Court myself in mitigation of punishment?"—*LORD ELLENBOROUGH*. "Yes, you will: the rules of the Court are, that a defendant may either speak by his counsel or by himself, not by both."—*Mr. FINNERTY*.—"Then, my lord, I have no counsel, and must manage the case as well as I am

able."—*Mr. GARROW* had no affidavits to produce on the part of the Crown:—But *Mr. FINNERTY* put in a very long affidavit, in which he stated that the Court having, in an application by him to postpone the trial of his cause on account of the absence of material witnesses, thrown out their opinion as to the calumnious nature of the libel, he had thought it most respectful to the Court to suffer judgment to go against him by default, reserving to himself the testimony of such of his witnesses whose regard to justice would induce them to make affidavits for him, and the present opportunity of justifying the whole imputed libel, which he did most unequivocally. The affidavit proceeded to state, that he had, at the same time when he wrote the letter, no intention to libel any body; and that he had, before its publication, consulted an eminent barrister as to the libellous tendency of it, who was of opinion that it was not libellous; that the defendant was no conspirator in Ireland; that he was invited to accompany the expedition by Sir Home Popham, for the sole purpose of narrating the proceedings of the expedition; and the affidavit quoted a letter from Sir Home to that effect:—the deponent solemnly declared he had no other view in accompanying the expedition; that he rejected the proposal of Lord Chatham and Sir Richard Strachan to publish nothing but what had undergone their revision; that he had incurred considerable expences in his voyage; and that the prejudices which had been excited against him by the order for his quitting the expedition, had deprived him of 500*l.* which he calculated he should have gained by his intended publication; that he had intended to bring an action against Lord Castlereagh for a libel, but was advised against it by his Counsel; that he did not accompany the expedition clandestinely; that the main object of Lord Castlereagh was to harrass the deponent; and that a noble Lord nearly connected with Lord Castlereagh, had been heard to declare in a public coffee-room, "I wish some man would shoot that fellow (meaning the deponent) out of the way." The affidavit was then proceeding to enter into the circumstances of the trial of *Mr. Orr* in Ireland for administering a seditious oath, in which trial, the letter in the Morning Chronicle stated the verdict of guilty to have been obtained from the Jury by promises, by threats, and by in-

toxicating them with liquor; and was about to quote two affidavits made by as many of the jurors to this effect, when the Court objected to their perusal, as irrelevant.—*Mr. FINNERTY* observed that it was stated as a fact in the imputed libel, that these affidavits were made; and he thought proper to verify that statement. The affidavits were not long.—*Lord ELLENBOROUGH* consented to hear them, long or short.—The defendant's affidavit travelling still farther from the record, however as it proceeded,—*Lord ELLENBOROUGH* at last objected to trying the Government of Ireland, under pretence of passing sentence upon the defendant, and refused to hear any more affidavits quoted upon the subject of Lord Castlereagh's conduct in Ireland.—*Mr. FINNERTY* said, that such a liberty had been granted in the case of Governor Picton; the Government of Trinidad was fully investigated upon the trial of that man for torture; the defendant's (*Mr. Finnerty's*) crime was merely that of reprobating a man who patronized torture. The letter in the Morning Chronicle made a general charge of cruelty against Lord Castlereagh; and the defendant was now proving particular instances of it.—*Lord ELLENBOROUGH*. "And so we are to go through the whole life of my Lord Castlereagh."—*Mr. FINNERTY* said, that he had taken particular pains to square his conduct by the proceedings on the case of Governor Picton to which he alluded; where the defendant having suffered judgment to go by default, had proceeded in his justification.—*Lord ELLENBOROUGH*.—"Mitigation."—*Mr. FINNERTY*.—"In his mitigation, by producing the affidavit of Colonel Draper, which went to rebut Colonel Fullarton's charges by a recrimination of forgery."—*Mr. Justice BAILEY*.—"Upon a general charge, you cannot go into particulars."—*Mr. FINNERTY* was about to reply, when *Lord ELLENBOROUGH* observed, that the Court *would not be replied upon*. Counsel at the bar would not reply to the decision of the Court; and though greater indulgence was allowed to defendants who appeared personally, there must be a limit even to that.—*Mr. GARROW* now felt himself called upon to interfere. He regretted the absence from indisposition of the Attorney General, who would have conducted this prosecution so much more ably; and he had been desired by that Advocate to give the defendant every reasonable liberty.—*Mr. GARROW* thought, however, that the Court were placed in a

situation from which one day or another the public justice might suffer. The defendant disclaimed Counsel, and therefore every allowance was made to him; but if such an affidavit as the present had been put in by any Gentleman at the bar, the Learned Counsel did not hesitate to say, that it would not have been suffered to remain on the files of the Court. Was the defendant, then, upon the ground of appearing without Counsel, to accumulate libel not only upon the prosecutor, but upon every person whom his fancy might suggest to him? This mischief, their Lordships would observe, was not cured by merely desiring the officer to pass by the improper passages of the affidavit—the whole affidavit was on the file; and it was thus in the power of the defendant, or of any body else, to give the whole as a document upon the Record of the King's Bench Court. Thus it might be published with impunity. The defendant's affidavit was a more aggravated injury than that of which Lord Castlereagh complained.—*Mr. FINNERTY* complained of the Learned Counsel's want of liberality and truth, in imputing to him a wish to propagate new libels. As for that contained in the paper, there was not a line in it which was not true, and which he was not prepared to prove. He had received injuries from Lord Castlereagh, which would have goaded any other man into madness, or sunk him into the grave.—*Lord ELLENBOROUGH*.—"The object of your Affidavit is to shew the irritation under which you were when you wrote this letter: now, this Affidavit goes very far beyond this; and you had better prepare another, and a more temperate one."—*Mr. FINNERTY* asked, how he could avoid the statement of all the facts which appeared in his Affidavit?—*Lord ELLENBOROUGH*.—"It is not for the Court to advise parties. There is excellent advice to be obtained at the bar, notwithstanding you have been advised by one eminent Barrister that this paper is no libel. Prepare a new Affidavit, and do be upon your guard. The Court have no pleasure in sending you back: it is for your own good. When shall you be ready?"—*Mr. FINNERTY* thanked the Court for their suggestion, which he would adopt, and hoped to be ready with a new Affidavit by Monday or Tuesday next.—*Lord ELLENBOROUGH*.—"Draw an Affidavit, that, instead of doing you harm, shall do you good. The Court don't want to have you hurt."—The defendant was remanded till Thursday next.

OFFICIAL PAPERS.

PORTUGAL.—*Extract of an Official Communication from his Excellency Lord Wellington, addressed to his Excellency D. Miguel Periera Forjaz.—Head-quarters, Cartaxo, Jan. 5, 1811.*

The enemy's reinforcements destined for his army in this country, and which, as I informed your Excellency by my preceding dispatch of the 29th of last month, were then on their march through the Valley of Mondego, reached the River Alva, and the position of Marcella, on the 24th of the said month, they crossed that river the following day on one of its fordable parts, and continued their march to form a junction with the army. Colonel Wilson has fallen back to Espinhal, and crossed the River Mondego, as soon as he heard that the said troops were approaching, lest he should be involved in an unequal contest, being at the same time attacked front and rear. He recrossed that river, however, and harrassed and pursued the rear of the enemy's troops during their march of the 25th and 26th, from Alva to Espinhal, took some prisoners and cut off some of the enemy's small detachments, which fell into the hands of the militia. He learned from the prisoners he took that the enemy's force consisted of 11 battalions belonging to the 9th corps of his army, and which turns out to be the same that assembled in Nantes in the course of last summer.—The division which march to Pinhel, and whose advanced guard had reached Francozo, when I addressed to your Excellency my last communication, still remained in Pinhel at the time when I heard last from gen. Silveira, whose head-quarters were then in Torrinha. This division is either the second of the 9th corps, or the division of troops which marched to Cardiges, and returned from thence in the month of November, under the orders of gen. Gardanne. No other alteration has taken place in the position occupied by the enemy's army since the date of my last letter to your excellency. The detachment which marched to Castello Branco, immediately came back from that place, and was sent thither either to escort a courier, or to procure information.

SPAIN AND FRANCE.—*State of the French Armies in Spain; and Account of their proceedings.—Paris, 19 Jan. 1811.*
(Continued from p. 256.)

IV.

ARMY OF CATALONIA.—On the 11th December, General Baraguay d'Hilliers detached from Gerona, under the orders of General Clement, a column of 1,200 men, to advance upon Olot, by way of Feliu de Pallerols. Adjutant Commandant Vigier moved forward with an equal number upon St. Laurent de la Muga and Massanet. The insurgents were routed and expelled from Olot.—On the 14th December, different columns were sent into the mountains to disperse the bands, and apprehend their chiefs.—On the 13th, two ships of the line, a frigate, and about four or five more English vessels, appeared off Palamos, and landed 900 Englishmen with four field-pieces, to the westward of the port. In the mean time, a frigate, a corvette, and a brig, made for the other side, and landed 200 men, in order to take possession of the port. These 1,100 English thought themselves sure of success; but the Chief of Battalion Emyon, of the third corps, who had posted his battalion on the heights, seized the favourable moment to fall upon the enemy, broke their line, drove them back upon the old walls of the town, entered the place pell-mell with them, and pursued them to their very boats. Of the 1,100 English that disembarked, 800 were killed or taken; and it is not quite certain that so many as 300 escaped. The next day the waves threw on shore a number of English dead bodies. Five Officers, including Captain James, belonging to one of the frigates, several midshipmen, and 150 soldiers, have been marched prisoners for Perpignan. We had 8 men killed, and 15 wounded. The Chief of Battalion Emyon has extremely distinguished himself in this petty combat, in which he displayed equal prudence and valour.—The English vessels no sooner learnt the disastrous issue of their expedition, than they set sail and disappeared. It were to be wished that the English naval forces, who upon this occasion thought proper to quit their vessels and fight on land, were frequently seized with such fits of folly.

(To be continued.)